

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA); ADOPTING SMALL SCALE AMENDMENT SCA 2004-00001 (SUMMIT PINES INDUSTRIAL); MODIFYING PAGE 64 OF THE FLUA BY CHANGING APPROXIMATELY 5.73 ACRES GENERALLY LOCATED ON THE NORTHWEST CORNER OF MILITARY TRAIL AND SUMMIT BOULEVARD WRAPPING AROUND THE COMMERCIAL PROPERTY DIRECTLY ON THE CORNER, FROM COMMERCIAL HIGH, WITH AN UNDERLYING 8 UNITS PER ACRE (CH/8) TO ECONOMIC DEVELOPMENT CENTER, WITH AN UNDERLYING 8 UNITS PER ACRE (EDC/8); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

21 **WHEREAS**, on August 31, 1989, the Palm Beach County Board of
22 County Commissioners adopted the 1989 Comprehensive Plan by Ordinance
23 No. 89-17; and

24 **WHEREAS**, the Palm Beach County Board of County Commissioners
25 amends the 1989 Comprehensive Plan as provided by Chapter 163, Part
26 II, Florida Statutes; and

27 **WHEREAS**, Section 163.3187(1)(c), Florida Statutes, provides
28 comprehensive plan amendments directly related to small scale
29 development activity may be made by local governments without regard
30 to statutory limits regarding the timing and frequency of plan
31 amendments; and

32 **WHEREAS**, Section 163.3187(1)(c)4, Florida Statutes, provides
33 that small scale development amendments require only one public
34 hearing before the governing board which shall be an adoption public
35 hearing; and

36 **WHEREAS**, a property owner has initiated an amendment to the
37 Future Land Use Atlas of the 1989 Comprehensive Plan; and

38 **WHEREAS**, the proposed amendment meets the criteria of a small
39 scale development amendment per Section 163.3187(1)(c), Florida
40 Statutes; and

41 **WHEREAS**, the Palm Beach County Local Planning Agency conducted a
42 public hearing on November 14, 2003, to review the proposed amendment
43 to the Palm Beach County Comprehensive Plan and made recommendations
44 regarding the proposed amendments to the Palm Beach County Board of
45 County Commissioners pursuant to Chapter 163, Part II, Florida
46 Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on February 26, 2004, to review the recommendations of the Local Planning Agency and to consider adoption of the amendments; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendment complies with all requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendments to the Future Land Use Atlas of the Land Use
Element of the 1989 Comprehensive Plan

The following amendment to the Future Land Use Element's Future Land Use Atlas is hereby adopted and is attached to this Ordinance:

A. Future Land Use Atlas page 64 is amended as follows:

Application No.: SCA 2004-00001 (SUMMIT PINES INDUSTRIAL)

Amendment: From Commercial High, with an underlying 8
units per acre (CH/8) to Economic
Development Center, with an underlying 8
units per acre (EDC/8);

General Location: Northwest corner of Military Trail and Summit Boulevard wrapping around the commercial property directly on the corner.

Size: Approximately 5.73 acres;

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

1 Part IV. Inclusion in the 1989 Comprehensive Plan

2 The provisions of this Ordinance shall become and be made a part
3 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
4 Ordinance may be renumbered or relettered to accomplish such, and the
5 word "ordinance" may be changed to "section," "article," or any other
6 appropriate word.

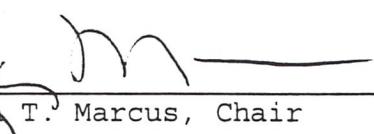
7 Part V. Effective Date

8 This amendment shall not become effective until 31 days after
9 adoption. If challenged within 30 days after adoption, this amendment
10 shall not become effective until the state land planning agency or the
11 Administration Commission, respectively, issues a final order
12 determining the amendment is in compliance.

13 APPROVED AND ADOPTED by the Board of County Commissioners of
14 Palm Beach County, on the 26 day of February, 2004.

15 ATTEST:

16 DOROTHY H. WILKEN, CLERK OF PALM BEACH COUNTY, FLORIDA,
17 BY ITS BOARD OF COUNTY COMMISSIONERS

18 By:  PALM BEACH COUNTY COMMISSIONERS
19 Deputy Clerk FLORIDA
20 By:  Karen T. Marcus, Chair

21 APPROVED AS TO FORM AND LEGAL SUFFICIENCY
22 

23 COUNTY ATTORNEY
24 Filed with the Department of State on the 1 day
25 of March, 2004.

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EXHIBIT 1

Amendment No.: Summit Pines Industrial (SCA 2004-00001)

FLUA Page No.: 64

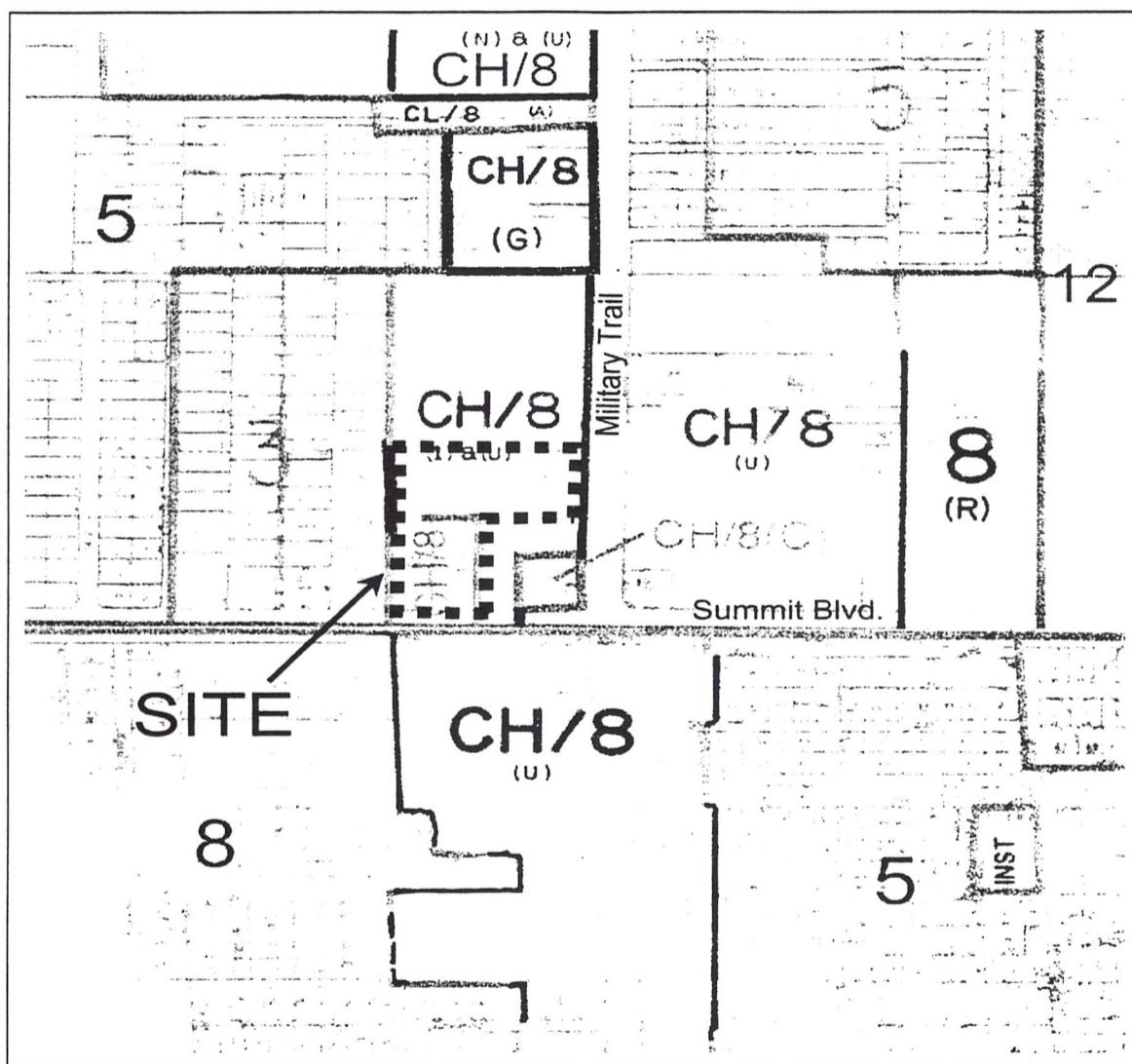
Amendment: From Commercial High, with an underlying 8 units per acre (CH/8) to Economic Development Center, with an underlying 8 units per acre (EDC/8)

Location: Northwest corner of Military Trail and Summit Boulevard wrapping around the commercial property directly on the corner.

Size: Approximately 5.73 acres

Property No.: 00-42-44-01-00-000-7710, 00-42-44-01-00-000-7730, 00-42-44-01-00-000-7760, 00-42-44-01-00-000-7770

Legal Description: See attached



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Legal Description:

Parcel 771

The East 136 feet of the West 272 feet of the East 1/2 of Lot 4, Block 3, Plat No. 1 Palm Beach Plantations (Model Land Company), a subdivision of Section 1, Township 44 South, Range 42 East, and recorded on Plat Book 10, Page 20, Public Records Palm Beach County, Florida less the South 70 feet thereof and less the North 240 feet thereof.

Parcel 773

The West 136 feet of the South 1/2 of the East 1/2 of Lot 4, Block 3, and the South 93.72 feet of the West 136 feet of the North 1/2 of the East 1/2 of Lot 4, Block 3, Plat No. 1 Palm Beach Plantations (Model Land Company) according to the map or plat thereof as recorded in Plat Book 10, Page 20, less and excepting therefrom that parcel conveyed to the County of Palm Beach, Florida, as described in those certain deeds recorded on Official Record Book 2428, Page 1214 and Official Record Book 4771, Page 355, Public Records of Palm Beach County, Florida

Parcel 776

The North 240 feet of the West 272 feet of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 1, Township 44 South, Range 42 East Palm Beach County, Florida

Parcel 777

The North 250 feet of the Southeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 1, Township 44 South, Range 42 East less and excepting the West 272 feet and the East 60 feet thereof

and

The East 13.54 feet of the West 285.54 feet of the North 222.24 feet of the South 292.24 feet of the East 1/2 of Lot 4, Block 3, of Plat No. 1, Palm Beach Plantations (Model Land Company) a Subdivision of Section 1, Township 44 South, Range 42 East, and recorded in Plat Book No. 10, Page 20 Public Records of Palm Beach County, Florida

Total Acreage = 249,390.01 square feet or 5.73 Acres

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on February 26, 2004.
DATED at West Palm Beach, FL on 3/4/04.
DOROTHY H. WILKEN, Clerk
By: Heane Brown D.C.